THE
NATION

DECEMBER 28, 1957 . . 25c

THE REMINGTON TRAGEDY

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JOHNSON CITY, TENNESSEE

A Study of Injustice BY FRED J. COOK

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LETTERS

Foreign News Coverage

Dear Sirs: I read with interest Mr. Kruglak's article in your December 21 issue on the decline in foreign-news coverage. Between the competition of bulletin-style radio and TV news and journalism of the kind the magazines are successfully doing, U.S. newspapers have been driven into the citadel of local news. It is a good place to be because here they are impregnable. But it does give short shrift to foreign news. Nowadays newspaper readers have little appetite for foreign news. That may be the fault of the daily press, which allowed the desire for world information to become atrophied. The pity of it is that America has world leadership and her citizens should have a better understanding of the nature and motivation of peoples in other countries.

I don't think, however, that our newspapers are doing a bad job in the foreign areas, and certainly the wire services are providing better reports than ever before. American newspapers are serving their own communities; they must do so to survive.

In addition most of them are printing about as much foreign news as the readers seem to want. They are certainly printing more news of government, local and national, than there is any demand for, but that doesn't appear to dissipate the general ignorance of the function of government and what makes it go.

CARL E. LINDSTROM
Executive Editor,
The Hartford Times

Hartford, Connecticut

Dear Sirs: Newspapers today are more and more having to fight increased costs as paper firms continue to ask high prices and unions are asking increases at the termination of every contract.

We here are dealing with eight different unions through The Capital Times Company and the Badger Broadcasting Company (owner of radio station WIBA). At the moment we are faced with a demand from the announcers on the radio station for an increase of $20 a week; this at a time when radio stations are having their difficulties in meeting the competition of TV.

The amount of space reserved for news also has been gradually cut as costs went up. Several years ago we were running 175 columns of news daily; today we average about ninety columns. I think too that the American press feels that there is a reaction setting in against the sending of millions of dollars to foreign countries for relief at a time when unemployment is setting in here. The farmers, of course, are bitter too. It seems to me, however, that today's news, the blow-up of the Vanguard rocket, is going to have a terrific influence on public sentiment.

WILLIAM EVJUE
Editor and Publisher,
The Capital Times

Madison, Wisconsin

From an Emperor's Descendant

Dear Sirs: My friend, Gerald Bregman (Dartmouth '54) had told me about the article by David Rattray (Dartmouth '57) in your issue of November 16. I looked up the article and was greatly amused by Rattray's attack on the Pound "clique." I can assure you that either Rattray was lying outrageously or he has simply lost his sanity. I had never composed such a letter as the one reprinted in your magazine. I never declared that I would form White Citizen Councils on Ivy college campuses. It is simply impossible for me to do so, since I am not a member or officer of any such council. As for the charge that I am working for the cause of white supremacy, I must say that the *Daily Dartmouth* was totally misinformed. You may be interested to know that I am a direct descendant of Emperor Lin of the Chou Dynasty (sixth century B.C.). Wang Wei, the great T'ang poet and painter, was one of my famous ancestors.

Having lived under the French in Shanghai, I detest all Kipling-followers and imperialists. My main purpose in life is to fight against bigotry and racial prejudice, while upholding the separate but equal station to which the laws of nature have entitled us. I am strongly against forced integration. I am strongly against miscegenation. I am against those mulattoes who have lost their racial integrity and desire to be assimilated with the white race.

Judging from the article, I can say that Rattray not only dislikes me, but actually hates me. I know, for a fact, that his hatred stems from jealousy. When I was an editor of the *Dartmouth Quarterly*, I used to reject his manuscripts consistently. I have a very low opinion of him as a poet, though I respect him for his knowledge of Greek and Latin.

Secretary of States Dulles is one of the few fine Americans left in the Republican Administration. He is not and will never be a "wishy-washy Socialist." If he has any fault, it is, perhaps, that he is a bit too conservative. We should support rather than attack him.

DAVID R. WANG
Executive Secretary, North American Citizens for the Constitution
(an affiliation of the Whib Party)

New York City

On Morris Cohen

Dear Sirs: With a view to editing the correspondence of the late philosopher, Morris Raphael Cohen, I am collecting letters by or concerning him, and other memorabilia. I should deeply appreciate hearing from anyone possessing materials or information pertaining thereto.

LEONORA COHEN ROSENFIELD
3749 Chesapeake Street, N.W.
Washington 16, D.C.

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NEW YORK, SATURDAY, DECEMBER 28, 1957
VOLUME 185, NUMBER 22

THE NATION

Remington — and Hiss

This issue is devoted almost entirely to The Remington Tragedy: a Study of Injustice. The author is Fred J. Cook, the veteran New York crime reporter whose story on Alger Hiss in our September 21 issue aroused nation-wide interest.

There are some issues, some cases, that never die until society makes amends for the injustice done. So thoroughly do these cases embody the tensions of the day that they stand as memorials to the times which produced them. The Hiss case was one such; the case of William Remington is another.

But the two cases have much more in common than that both, in a moral sense, are still very much alive. Historically speaking, Alger Hiss and William Remington were close cousins. Hiss was born in 1904, Remington in 1917. Both were products of "old-line" American background: Hiss of a distinguished Maryland family, Remington of a respectable, upper-middle-class New Jersey Republican clan. Both were personable, attractive men; and both were idealists, perhaps because both were mild dissidents from the white-Protestant-middle-class order. Hiss was a Quaker; Remington, at one time, had been influenced by the so-called Oxford movement. Both were graduates of foremost American educational institutions: Hiss of Johns Hopkins and Harvard Law School, Remington of Dartmouth. Both had distinguished careers in government which ended in the courtroom. Both, indicted for perjury, were really tried as traitors. Both were tried twice, and in the same court: the Southern District of the United States District Court for New York. The cases against both were turned up about the same time—1948—as a result of Congressional investigations. Both men were represented by distinguished legal counsel, and both were convicted at their second trials. And, in quite different ways, the wives of both played significant roles in their convictions.

But what Hiss and Remington had more in common than anything else was their special relation to the New Deal. Both were symbols of the New Deal intellectuals, brain trusters, idea-men with social vision who swarmed to Washington in the thirties and who, little more than a decade later, became the hated objects of an anti-liberal, anti-intellectual crusade. There was, too, a similar element of entrapment in both cases; and similar controversial techniques were used by the Department of Justice to obtain their convictions.

In the end, both men served their sentences in Lewisburg prison. But there is this great difference: Hiss still lives; Remington is dead.

The Remington story is a tragedy of our time. We pity the American who can read Fred J. Cook's account in the following pages with untroubled conscience. Hiss may yet be vindicated, but Remington, whose tragic and violent death in prison was the end result of the malice, prejudice and ambitions of cheap political opportunists, is beyond any meaningful vindication. Remington remains as a permanent, an irremovable burden on the American conscience. It was seven years ago this Christmas season that Remington went on trial the first time; it is only appropriate that this Christmas an issue of this magazine should be devoted to the proposition that he was cruelly, unjustly and foully done to death—for his indiscretions, his youthful political enthusiasms, his idealism, his eagerness to testify (neither Hiss nor Remington invoked the protection of the Fifth Amendment), his love for a woman who was once his wife. —*The Editors.*

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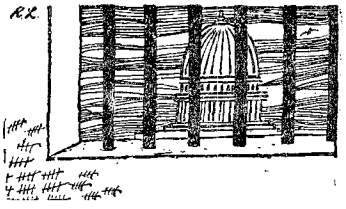
The REMINGTON Tragedy

a study of injustice . . by FRED J. COOK



Part 1

COURTING TROUBLE

THE SLIM BRUNETTE with the heart-shaped face looked more like a schoolgirl than a thirty-four-year-old mother of two children, but she drew the eyes of a nation as she sat quietly in the witness chair in New York Federal Court on the day after Christmas, 1950. Ann Moos Remington was testifying against her former husband, William W. Remington, a high-ranking government economist, in a trial that pivoted about the basic theme of the day—treason. The treason of an individual and, inferentially at least, the treason of a government.

Her tightly-clasped hands the only sign of her inner tension, Mrs. Remington testified in low, soft tones. Her eyes, large and bright under sharply-etched brows, were downcast. Only once did she glance directly across the courtroom at the defense table where the handsome defendant sat—6 feet 2, blond, boyish-looking. Only this look did Mrs. Remington permit herself, and for the first time, her voice shook.

"I want to state that I am a very reluctant witness here," she said. "I find it hard to testify against the father of my two children, and I want to make it clear that I have no malice against him. I am under subpoena by the government, and I am trying to tell the truth as I remember it."

Remington seemed to be studying notations on a yellow pad in front of him. He did not look at her.

Only the previous January, Alger Hiss had been convicted of perjury in this same court, and now Remington, thirty-three, like Hiss a brainy product of the best American colleges, faced a jury on an identical charge. The two cases had burst upon the American consciousness almost simultaneously in hearings before Congressional committees in Washington in the heat of the 1948 Presidential campaign. And now, with Hiss convicted after two bitter trials, it was Remington's turn.

U.S. ATTORNEY Irving Saypol, in his opening address to the jury, had charged bluntly that Remington was a traitor to his country. This charge Remington's ex-wife had attempted to substantiate by testifying that he was once "very excited" because he wanted to give a Soviet spy a "top-secret" formula. Mrs. Remington understood it had been a formula to make explosives—but perhaps it was gasoline, or perhaps synthetic rubber—out of garbage. The details were vague, but the pert divorcée swore to the only thing that mattered—Remington's eagerness to pass along the information.

Mrs. Remington was, by her own admission, a former Communist. And by her own admission, too, she had been a reluctant bride. When Remington proposed to her, in a parked car, under a campus moon, she had known she didn't love him, she testified. But "it was flattering to be pursued and I thought he amounted to something."

Next came a question-and-answer sequence that gives an insight into this weird courtship and its two participants:

Q. (By Saypol) He told you he was a Communist, didn't he?

A. Yes, I knew he was a Communist from my earliest acquaintance with him.

Q. But you were worried about him?

A. I was.

Q. Did you discuss this with him before your marriage?

A. Yes. I was reluctant to marry him. I told him one of the requirements for marriage with me would be for him to continue being a Communist. I looked upon communism as a sort of religion. I thought we both must believe in it to make our marriage a success.

Q. What did he say?

A. He reassured me. He said not to worry on that score, that he would always be a Communist.

This testimony, it would seem, leads to two inescapable conclusions. First of all, Mrs. Remington, by her own account, must have been fanatically dedicated to the Communist cause. Secondly, it would appear that she had been more than a little skeptical of her swain's complete devotion to the party. One is led to wonder about Remington, the supposed Communist, and Remington, the man. What kind of man was he—if his former wife's version was true—to substitute the solemn pledge of ideological loyalty for the conventional vows of love?

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Even now, after numerous hearings, two trials and a final senseless tragedy, William Remington, the man, remains a complex human enigma. Jurors could not agree on some of the most vital charges against him; judges who reviewed the evidence disagreed on where lay right and justice. To millions, Remington remains a symbol of the devious Communist conspiracy that menaced the security of America; to others, he represents a more tragic figure—puny man caught between inexorable forces and predestined to be crushed.

WILLIAM W. REMINGTON was born on October 25, 1917, the only son of well-to-do, talented parents. His father, Frederick C. Remington, was an insurance-company executive, and his mother was an art teacher in New York City. The Remingtons lived in Ridgewood, New Jersey, a suburb of New York City.

The Remington family, living in the heartland of New Jersey Republicanism, were themselves all ardent followers of the GOP. On the witness stand, William Remington testified that originally he, himself, was "a strong supporter" of the Republican Party. In 1948, he recalled wryly, an uncle was eager to stump for Thomas E. Dewey, but was deterred because his nephew had brought such disgrace to the family name.

From earliest childhood, Remington regularly attended St. Elizabeth's Protestant Episcopal Church, a small stucco house of worship only three blocks from the family home at 560 Upper Boulevard. He said later on the witness stand that his religious upbringing had a strong effect upon his future outlook and mental development.

His mother introduced him to the Oxford Group, the "moral rearmament" movement of Frank N. D. Buchman, who in 1921 had called for an international renaissance looking to the dictatorship of the spirit of God.

"Through the Oxford Group," Remington testified, "I developed a concept of complete dedication to a personal God. I tried to place all my thoughts and acts in God's service. As a result, I became more than usually concerned with helping the underdog as a part of my religious philosophy."

Remington's classmates at Ridgewood High School described him in their 1934 *Yearbook* as a future "Union Square soapboxer" and an active orator whose aspiration was "to die a genius of the first water—unrecognized." Remington was only sixteen when he entered Dartmouth College at Hanover, New Hampshire, long noted as one of the nation's foremost scholastic institutions. The events of these college years were to prove potent in eventually sending him to prison.

Remington later testified that as a freshman at Dartmouth his political philosophy "moved Left quite rapidly." He came to believe in extensive government ownership and control of industry, but he insisted he had "no well-defined concept of what that meant." He was anti-Fascist; he was devoted to concepts of racial equality; he believed in the split-up of big business and "highly progressive income taxes"; and he saw in labor unions the answer to what was "unchristian" in society.

He advocated these doctrines "extensively and loudly," and the result was that many people were convinced he was a Communist. Actually, Remington insisted, he was not. He stressed that he "emphatically did not agree" with the Marxist theories of dictatorship of the proletariat, revolution and the suppression of religion.

During his sophomore year, Remington continued to develop his economic and political philosophy. He joined the news board of the *Daily Dartmouth,* undergraduate newspaper; he became a member of the American Students Union; he served on committees organized to aid Spain and to promote peace.

One of New York's best newspapermen, who had been a classmate of Remington's and worked with him on the *Daily Dartmouth,* says of him:

> He was exceptionally brilliant. . . . Some of the letters that he and his mother used to write to each other were marvels of English composition; they read like something out of Bertrand Russell.
>
> Remington, although he was younger than the rest of us, was tall, strong and handsome. He had the build of an athlete, but he wasn't interested in trying to make the football team. He was completely wrapped up in intellectual causes. He felt that the mentally brilliant had a moral obligation to devote themselves to the cause of the underdog, the underprivileged.
>
> My roommate, who was a Catholic and very conservative, looked askance at Remington and the intellectual crowd he ran with. To him, they were a bunch of radicals and lefties, if not outright Communists. To me, Remington seemed more like an intellectual snob.
>
> He was active in the American Students Union, which had a number of Commies in it, but that didn't necessarily prove that Remington, himself, was a Communist. In fact, I remember very vividly one incident that convinced me he wasn't.
>
> In the middle of the late thirties, the Communists were energetically wooing the more intellectual students in our colleges. Once, up at Dartmouth, I was with a group that included Remington, when a couple of these Commie organizers approached us and gave us their spiel. Remington tore them apart in the most ruthless fashion and made perfect asses out of them.

During the 1936-37 school year, Remington dropped out of Dartmouth. He was financing the major portion of his college costs himself, and he decided to work for a year and save money. He got a job as a laborer and farmhand in the Midwest, then he went to work as a messenger for the Tennessee Valley Authority in Knoxville, Tennessee.

ONE OF THE witnesses at Remington's trial gave a vivid description of him during this period. Remington, he said, was a wild-looking young man who flitted about the countryside on a motorcycle. His clothing hung in rags, and his shoes were so dilapidated that he had to tie the flapping soles to the tops with pieces of string.

There was later to be a violent courtroom argument over whether Remington was an active Commu-

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nist at this time. He was certainly active in the Workers Alliance, an organization of WPA workers and the jobless whose activities the Communists were trying to infiltrate and direct. On one occasion, when Remington and another organizer tried to persuade workers in a hosiery factory at Cookville, Tennessee, to join the Alliance, they were badly beaten up. Whether this experience drove Remington farther to the Left, no one can say with certainty. He always insisted that his activities for the Alliance had been inspired by an interest in the labor movement and that he had not known some of his associates were Communists.

When Remington resumed his interrupted scholastic career, he was, to all appearances, the same flamboyant, voluble intellectual. Actually, he insisted, he came back from his year of hard knocks in the practical world "a lot less sure of the notions I'd had when I left college." He said he had "more respect for the opinions of the college administration and faculty" because some of his ideas had been "exploded by exposure in the South."

Whatever the exact truth about his private convictions, there can be no question about his brilliance as a scholar. He was one of seven seniors who were allowed to scrap the curriculum and choose their own courses of study. He was one of two seniors on the student organization's governing body. He was not only Phi Beta Kappa but top man in his graduating class.

IT WAS during his junior year at Dartmouth that Remington met the *femme fatale* of his life. The date was February 26, 1938; the occasion, an intercollegiate conference on foreign policy. Remington was a delegate from Dartmouth; Ann Moos came from Bennington College in Vermont. Smitten by the slender, pretty brunette, Remington forgot foreign policy long enough to make a date with her.

Ann was the daughter of Mrs. Elizabeth Moos, a teacher and school principal, who had a large home at Croton-on-Hudson in Westchester County just north of New York. Mrs. Moos was an avowed Communist—her home for years was a rendezvous for fellow travelers—and her daughter was already an ideological spitfire.

Remington recognized this, but he was in love. To further his suit, he told the court, he painted himself to Ann as being far more radical than he actually was. He recalled especially an auto ride to an American Students Union meeting at Harvard, during which he and a Dartmouth friend, Charles Livermore, a C.I.O. worker in New Hampshire, both made a pitch for the affections of the girl.

"We both bragged that we were real radicals, not just pinkos," Remington testified. "We were radicals who had engaged in labor organization."

"You exaggerated?" his counsel asked.

"Yes," Remington said with a wry grin. "I made the fight at Cookville a pretty good story, full of gory details. We were both trying to win her attention."

"You were courting Miss Moos at the time?"

"Yes. Livermore left us in the car a bit later, and I don't remember that we did much more serious talking."

Remington denied that he had ever told Ann he was a Communist Party member; he repudiated completely her story that he had taken a solemn vow to remain a forever-faithful Communist before she consented to marry him.

"We were talking about getting married," he testified. "She was worried about my ambition. She wanted me to promise not to become a businessman. She was worried about the Republicanism of my family. I told her she needn't worry, that I would never be so concerned over my personal ambitions that I would forget about human welfare."

THE COUPLE were married in a civil ceremony in New York on November 28, 1938. They spent long idyllic weekends at the bride's home in Croton, and the following June, they were wed again in a religious ceremony.

Remington graduated from Dartmouth that same spring, and was undecided for a time whether to follow law or economics as a career. He decided upon the latter and studied for a year at Columbia University.

The Murder of William Remington

It is true, that even in the best-run state
Such things will happen; it is true,
What's done is done. The law, whereby we hate
Our hatred, sees no fire in the flue,
But by the smoke, and not for thought alone
It punishes, but for the thing that's done.

And yet there is the horror of the fact,
Though we knew not the man. To die in jail,
To be beaten to death, to know the act
Of personal fury before the eyes can fail
And the man die against the cold last wall
Of the lonely world—and neither is that all:

There is the terror too of each man's thought,
That knows not, but must quietly suspect
His neighbor, friend, or self of being taught
To take an attitude merely correct;
Being frightened of his own cold image in
The glass of government, and his own sin,

Frightened lest senate house and prison wall
Be quarried of one stone, lest righteous and high
Look faintly smiling down and seem to call
A crime the welcome chance of liberty,
And any man an outlaw who aggrieves
The patriotism of a pair of thieves.

HOWARD NEMEROV

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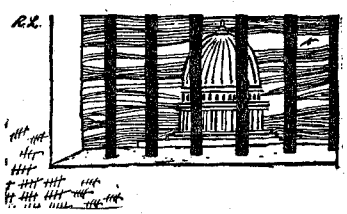
Again he was an outstanding student.

Receiving his Master's degree in 1940, he went at once into government service. His first job was with the National Resources Planning Board. In 1941, he joined the Office of Price Administration and in 1942 and 1943 he was with the War Production Board. From 1944 to 1946, he was an ensign in Naval Intelligence, trained in Russian affairs. He was stationed first with the Navy in London and later loaned to the Minister of Economic Affairs in the London Embassy. Brought back to Washington to serve with the Office of War Mobilization, he later worked with the Harriman Committee on the European Recovery Program and was a member of the President's Council of Economic Advisers. Then, early in 1948, he was transferred to the Department of Commerce and became director of the export program's staff of the Office of International Trade, a sensitive post in determining the allocation of shipments to Russia. In all of these positions, Remington's rise in pay and influence had been rapid. His first job in 1940 netted him only $2,000 a year; in mid-1948, when the storm broke, he was earning $10,305.



Part II

THE LOYALTY HEARINGS

REMINGTON'S rapid advancement came in an era of cataclysmic world change, a fact that is sometimes overlooked in our preoccupation with the problems of the present. The most destructive war in history, raging in every corner of the world, had been accompanied by lightning-fast shifts of allegiance. The callous camaraderie of the Nazis and Soviets in partitioning Poland shocked a still isolationist-minded America. Shock gave place to outrage when Russia turned on little Finland, and cartoons of the hideous Russian Bear dripping blood from its claws filled the newspapers. Only months later, Hitler attacked Russia, the United States was attacked by Japan, and suddenly Communist Russia was our ally. The blood disappeared from the claws and fangs of the Russian Bear in our editorial cartoons—almost overnight, it became a noble animal, defending itself against the Nazi hordes.

By 1948, however, the double-crosses of international diplomacy had created new tensions at home and abroad. Hysteria swept the country, and the words "left-winger" and "Communist" could brand one a pariah.

Such was the public climate when, late in July, 1948, the government broke the story of a far-flung Russian spy ring which had operated throughout the World War II years of the Russian-American alliance. The sensation was touched off by the New York *World-Telegram and Sun,* which disclosed that "a beautiful blonde spy queen" had operated in Washington as courier and collection agent for the master Soviet spy, Joseph Golos. The spy queen had had contacts in all the major government agencies—one on the White House staff itself. Some of her wartime contacts were still in government service, and one was even in a key Department of Commerce post.

That alleged contact, unnamed at first, was William W. Remington.

Senator Homer Ferguson, Michigan Republican and chairman of the Senate Internal Security subcommittee, and William P. Rogers, committee counsel, hopped on the trail and scheduled public hearings in Washington. (Here is another odd link to the Hiss case, in which then Senator Nixon, as a member of the Un-American Activities Committee, played a key role. Nixon and William P. Rogers are old friends; and for both men the role of "avenging angels" smiting down the Communist foe yielded rich political reward. Mr. Rogers is now U. S. Attorney General.)

The spy queen was identified as Elizabeth T. Bentley, thirty-six-year-old Connecticut-born Vassar graduate. She admittedly had been the mistress of Golos, as well as his agent in gathering information from Washington contacts. When he was stricken with a heart ailment, she herself had handled the espionage work for a time. But after Golos' death, at odds with others in the party and disillusioned, she had gone to the FBI in Connecticut and there, in 1945, had lifted the veil on the network of Red espionage.

Miss Bentley testified before a federal grand jury which had indicted twelve national leaders of the Communist Party for conspiracy to overthrow the government. The details she had given the FBI about her dealings with Remington also had been investigated, but no action had been taken. Federal agents had questioned Remington in April, 1947, and he had testified before a federal grand jury in September, 1947. There the matter had rested.

THIS WAS the state of affairs when, on July 30, 1948, Miss Bentley took the witness stand before the Senate Investigating Committee and emerged into the public spotlight for the first time. Her debut was a national sensation. Flashbulbs popped, a forest of microphones was clustered around her; the magic eye of television gave millions of Americans a ringside seat at the dramatic proceedings.

Calmly and impressively, Miss Bentley told her story. She described her contacts with between thirty and fifty wartime informers in Washington—among them William W. Remington.

She testified that she had been introduced to Remington by Golos at a New York dinner. Golos told her that Remington was a Communist, and subsequently, when she went to Washington, she collected Communist Party dues from Remington for both himself and his wife.

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She said that her meetings with Remington were "furtive" ones, on street corners, park benches and in secluded restaurants. There were nearly a dozen of these meetings during 1942 and 1943, while Remington was with the War Production Board. Remington gave her, Miss Bentley testified, confidential information which he had written out on slips of paper; never did she see original government documents. Some of this information related to American airplane production, and once he gave her a secret formula for making synthetic rubber out of garbage.

Remington appeared before the committee the next day. In his testimony then, in subsequent newspaper interviews and later in his testimony at two trials, he told the same, unvarying story. It was a story that confirmed Miss Bentley's testimony, basically, but with some vital qualifications.

When he first met Ann Moos in 1938, Remington said, her mother, Mrs. Elizabeth Moos, was not yet a Communist, a fact her school board could vouch for. But an old friend of the family and constant visitor at the Moos home, Joseph North, was the editor of *New Masses*. Apparently under North's influence, Mrs. Moos, in either 1939 or 1940, became a Communist and began to distribute Communist literature to her school children. Because of her activities, she was finally dismissed by her school board.

By this time Remington and Ann were married, and he was in government service in Washington, but when they returned to Croton for weekend visits, they frequently saw North. A running argument developed between the two men because, Remington said, they disagreed violently on many important public issues.

"North felt that big business was sabotaging the [mobilization] program," Remington explained. "I tried to convince him that war mobilization was sincere. North seemed somewhat shaken in his official conviction. He asked me to lunch with him in New York to talk it over further."

It was at this luncheon in Schrafft's Restaurant on Fourth Avenue, near 31st Street, that Remington was introduced to Golos, who was then using the first name of John. Golos was about fifty, short, stocky and "acid in his remarks and outlook on life," Remington said. Golos represented himself as a writer preparing a book on war mobilization and said he would like to talk to Remington again the next time the young government career man came to New York.

ON HIS next visit, in March, 1942, Remington and his wife dined with Golos in Schrafft's. This time Golos had a woman with him whom he introduced as Helen Johnson, a researcher who was helping him gather facts for his book. Golos explained that she also did research for other writers, including a couple of columnists on the late Marshall Field's experimental New York newspaper, *PM*. It was not until years later, Remington maintained, that he learned that spy queen Elizabeth Bentley was the same woman he had known as Helen Johnson.

"I wanted to sell Golos the idea, as I wanted to sell it to North, that the government was doing a good job," Remington said. "I blushingly admit that I was very young—at the time—and I was flattered that a writer of books should need my help."

Just as the dinner broke up, Golos remarked casually that he hoped Remington would see Miss Johnson if she contacted him when she was in Washington researching.

"I told him, 'Oh, sure,' and I forgot all about it," Remington testified.

He said he was unprepared and completely surprised when, sometime afterward, she called him at his office and asked him to have lunch with her. This was in the spring of 1942. It was the first of several fateful meetings.

Five more times in 1942 and five or six times in 1943, the woman he knew as Helen Johnson telephoned and asked to meet him—always outside the office. Remington insisted that he suggested a couple of times that she come to the office, but she always had an excuse.

Remington said she sometimes brought him copies of the Communist newspaper, the *Daily Worker*, and of *PM* and other periodicals. She would give him the papers, saying, "I wish you'd read this and let me know if the facts are straight." He always paid her for the papers, Remington claimed. "When you're dealing with reporters and you accept newspapers," he explained, "the next thing you know you're accepting drinks and other things. I disapprove of that."

Except for the papers, he said, he had made only one other payment to Miss Bentley: $30 which she had described as "Communist dues," but which Remington insisted had been a donation for the Joint Anti-Fascist Refugee Committee. This was before the organization had been labeled a Communist front.

As for the information which he gave Miss Bentley, Remington protested that none of it was secret. The production figures he gave her were available to any writer willing to research government releases closely enough, he said.

"Sometimes before I went out to meet her, I would scan a few issues of Kiplinger's *News Letter* to refresh my memory," Remington said. "It was all printed data, or information released by the government in bulletins and other ways."

He testified that he became "a little suspicious" of "Helen Johnson" and terminated his association with her in 1943, after he learned that she had no connection with any writers on *PM*, as she had claimed.

The Senators who heard this testimony were struck by Remington's confirmation of Miss Bentley on so many important details. There were no discernible discrepancies in the testimony of the two principals regarding the tête-à-têtes that had marked their association.

"You admit everything she says, except you say she misunderstood your motives?" one member of the committee asked.

"That is one way of putting it," Remington replied. "Only I would put it much stronger."

The committee was exercised because Remington had advanced in government service despite the doubts about his loyalty raised by Miss Bentley's 1945 disclosure to

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the FBI, in Connecticut. Remington conceded the Navy had asked him to resign his reserve commission. He had not known why the Navy wanted his resignation—he did not think it was because his loyalty was suspected—but he had resigned anyway. Even though he had testified before a federal grand jury in New York in September, 1947, he had not felt that his loyalty was seriously in question.

"I drew the reasonable inference," he testified, "that there was some investigation of charges—charges by some unnamed individual. The simple, straight fact is that I did not think I was testifying in my own defense. I thought I was just giving facts. And I thought I answered all their questions to their satisfaction."

DURING this Senate hearing, Remington revealed that he and his wife, Ann, were in the process of getting divorced. His offhand remarks, sprinkled throughout the testimony, reveal an especially bitter animosity toward his Communist mother-in-law. At one point, he noted that Mrs. Moos's conduct changed after she turned Communist. "She became, God forbid, even more arbitrary," he commented. When he was asked whether he had realized Miss Bentley was "a dangerous woman," he reflected for a moment and finally came out with an answer that made the hearing-room rock with laughter. "Sir," he said, "at that time, I didn't even consider my mother-in-law extremely dangerous."

In a more serious, almost prophetic vein, he remarked on the temper of the times in an exchange with Senator Ferguson. "When we are threatened by an external enemy and one from within," Remington said, "I realize we cannot stand by our democratic processes in full relation to the individual."

"We can stand by them," Senator Ferguson assured him.

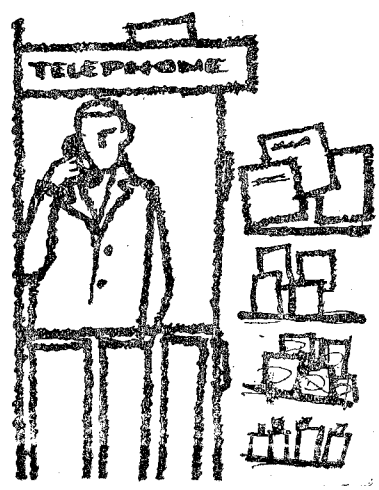
"Not in the same way . . ." Remington demurred.

Hardly had he finished his testimony before the Senate when he began preparing for a second witness-stand appearance before a loyalty board, which would determine whether he could still hold a government job. Under suspension until his status was settled, and separated from his wife and family, Remington holed up in a small, rented room in Alexandria, Virginia, and devoted himself to preparing his defense. Already he was a marked man. In a *New Yorker* magazine interview, he told a significant incident:

> One afternoon when I was waiting for a bus, a Negro who'd been a messenger at the War Production Board pulled up in front of me in a beat-up jalopy and said, "How about a lift, Mr. Remington?" Washington, you know, is a Southern town for Negroes. They don't often issue invitations to whites here. I got into his car, and was confused all the way home. I was warmed by his kindness, because it meant that I must have been decent to him when I'd been one of his thousand bosses, and I was depressed by it, too, because he wouldn't be doing this if he hadn't recognized me as a fellow outcast.

In the midst of his preparations, he was startled by a notice that the Senate committee wanted him to appear at a private session and confront a Dartmouth alumnus who supposedly had evidence that Remington had been a Communist.

He appeared before the Senate committee; the Dartmouth classmate turned out to be an informational dud; and Remington, relieved, returned to his loyalty board preparations. He found himself living in a hostile atmosphere. Friends, jittery about wiretapping, refused to talk to him except from pay telephones. Many, on whom he had counted, yielding to the pressures of the time, refused to associate themselves with his risky and unpopular cause. But others stood steadfast.



Mrs. George W. Martin, his high school English teacher, a woman who had known him since he was five, wrote in an affidavit:

> I remarked to my family that anyone who knew him would begin to question the authenticity of Miss Bentley's statements as soon as she used the word "furtive" in connection with him. I am positive he couldn't even be coached to *be,* or even to *appear,* furtive.

Dean Lloyd K. Neidlinger, of Dartmouth, made the same point. "If he believed in communism," he stated, "he might go out and preach it from a soapbox and risk being stoned by an unfriendly audience."

EQUALLY outspoken was Dr. Ernest M. Hopkins, who had been president of Dartmouth when Remington was a student and who had become president of the National Life Insurance Co.:

> Mr. Remington is mentally and morally incapable of the machinations and hypocrisies ascribed to him. . . . I do not believe he ever divulged confidential information about his government's affairs to anyone, or ever gave support to his country's enemies.

David K. Bruce, former Assistant Secretary of Commerce and then Ambassador to France, declared in an affidavit that Remington was sometimes so anti-Russian in the policies he advocated that he had to be restrained. "He was in favor of a tougher policy regarding the shutting off of exports from the United States to Russia and the satellite countries than were some of his colleagues," Bruce said. "In fact, my recollection is that at times his bias was so strongly against shipments to these destinations that I questioned the reasonableness of his judgments in this regard on more than one occasion."

Richard M. Bissell, Jr., Remington's boss on the Harriman committee, testified that Remington had been so enthusiastic about giving economic aid to Western Europe to counter communism that some of his suggestions had to be toned down. A State Department official sup-

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ported this view. A high military spokesman agreed that, from the military viewpoint, Remington's thinking had been right on the beam all along.

Through affidavits and personal testimony, Remington showed that he had opposed the Communist Party line on at least ten major issues. These included the Nazi-Soviet Pact, the Russian invasion of Finland, American aid to Britain, the Morgenthau Plan, the Greek-Turkish aid program, the curtailment of exports to Russia and her satellites, and the Marshall Plan, which he had helped to draft and which was designed to thwart the aims of Russia in Europe by extending economic aid to countries not yet within her orbit.

DESPITE THIS favorable presentation, Remington didn't have much chance of clearance by the loyalty board. The atmosphere of the hearing room—an impalpable but almost overwhelming force, a thing he was to encounter again and again—clearly forecast the verdict. Remington described his reactions to his *New Yorker* interviewer:

> The whole atmosphere at the hearing made you kick yourself for everything you'd ever done. Why had I ever lectured to C.I.O. workers in Tennessee? Why had I ever made donations to help the Loyalists in Spain? Why had I ever been on peace committees at Dartmouth in 1937? Whatever made me attend an American Youth Congress meeting, where I clumsily tripped over the feet of Mrs. Roosevelt? What a pity that I couldn't point to a model marriage! What made me blurt out to these strangers that I believed in God, that I'd been a choirboy and an acolyte in the Episcopal Church? The board seemed to be comparing me with their idea of a loyal American—a composite character, a perfect mediocrity who never existed. If such a man did exist, I wouldn't care to meet him, because he wouldn't have a thought in his head or a beat in his heart. I don't think any of the board members could have filled the bill themselves.

On September 20, 1948, the loyalty board handed down its decision. "Reasonable grounds exist for the belief that you are disloyal to the Government of the United States," it notified Remington.

Remington was crushed. "I had an impulse to throw in the towel," he said later, describing his feelings. Unfortunately for him, he did not. Instead, having acquired an attorney for the first time, he decided to fight. His counsel was Joseph L. Rauh, Jr., chairman of the executive committee of the Americans for Democratic Action.

Remington's case was an especially ticklish one for a lawyer, representing such an organization, to handle. Rauh realized how damaging the imputations would be if he should pick up the cudgels for Remington and Remington should turn out to be a Communist. So, the first time the two men met, Rauh cross-

examined his client in his toughest courtroom style from six o'clock in the evening until two the next morning. Remington's answers were convincing, but Rauh wanted to be certain. He spent another week investigating every aspect of Remington's life. Then, convinced, he took the case.

His first move was to ask the Loyalty Review Board to summon Miss Bentley for examination. The board had no power to subpoena, but it asked Miss Bentley to appear for a hearing on November 22, 1948. In the meantime, another complication had arisen. Remington's accuser had appeared on September 12 on the *Meet the Press* television show and had repeated her charges, this time without the immunity she had had in her Senate testimony. Remington demanded that she retract or face a suit for libel.

Miss Bentley was adamant. So was Remington. And the result was a $100,000 libel suit filed by Remington's attorneys against the former spy queen, the National Broadcasting Company and General Foods, the sponsor of the television program.

The continuing turmoil, with his name forever in glaring headlines, suspicion forever outstripping his protestations of innocence, was having its effect upon Remington. He became more and more morose. He refused the invitations of friends and lived the life of a virtual outcast, locked for long evenings in his solitary room. His landlady, Mrs. William Calfee, a native of Rome and the wife of the chairman of the Art Department of American University, tried to arouse him from his somber isolation.

"Why don't you go out and get drunk?" she asked him once.

"Don't care to," Remington growled with a brevity that would have done credit to his Scotch-New England ancestors.

Another time, as he headed upstairs for more hours of solitary brooding, Mrs. Calfee confronted him again.

"All right," she said, "don't get drunk. But would you mind punching this door for me?"

Remington looked at the door without a flicker of expression, punched it stolidly and stalked on upstairs.

THE NOVEMBER 22 hearing date came, but Miss Bentley did not appear. She had had a speaking date in Rochester the previous evening, and she cited this, in a letter read into the record, as the reason for her absence. The review board still wanted to hear Miss Bentley and set December 15 for her appearance. Rauh, who had not been able to serve her with papers in the libel suit, promised not to harass her with service if she would appear, but again Miss Bentley failed to show. This time, she was lecturing in New Orleans. The review board still kept the case open, hoping to hear the reluctant accuser, but it finally lost patience when the New York *Post* on January 10, 1949, quoted Miss Bentley as saying she had never been asked to testify. The

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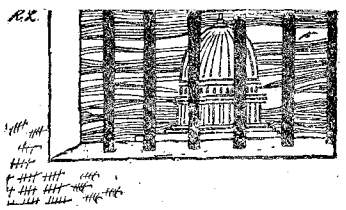
review board publicly contradicted her and announced it would make its decision soon.

The membership of the board was so conservative that it seemed unlikely, even to Remington, that he could win its approval. The chairman was Seth W. Richardson, who had served as counsel to the Senate committee that investigated the Pearl Harbor disaster; another member was Harry W. Colmery, former national commander of the American Legion. The board was the highest loyalty tribunal in the nation, and its decision, announced on February 10, 1949, was final. It cleared Remington and ordered him reinstated.

A second triumph followed. Remington's $100,000 libel suit was settled by the National Broadcasting Company over Miss Bentley's protests for a reported $10,000. The settlement was accompanied by a statement from General Foods which said that although the company felt no libel had been committed, it was paying because, on "the basis of the legal expenses involved" in a trial, it was expedient to do so.



Part III

ONE TRIAL, TWO VERDICTS

VINDICATION would seem to have been won by Remington at this point, but actually his temporary victory was little more than a signal for a new struggle. He had by now become a *cause célèbre*. There was tremendous political capital to be made from the Communists-in-government issue, which had been hung about the neck of the Truman Administration like a dead and smelly albatross. Remington was Exhibit B, second only to Alger Hiss, in the catalogue of betrayal; and when he was cleared and returned to government service, even in a non-sensitive post, the cries of political outrage made new and glaring newspaper headlines.

Behind the scenes, little heeded at the time, a significant event took place—the divorce of Remington and his wife. This was to alter the entire complexion of the case. Under our laws, a wife cannot be compelled to testify against her husband, but ironically enough, a divorced wife, whose testimony it would seem might run far more risk of bias, can be required to testify to events that were not strictly private during her marriage—in other words, to occurrences at which outsiders were present.

THIS WAS the situation when, early in 1950, two former Communists testified before a Senate investigating committee that Remington had been a member of the party. It was a development that touched off a new inquiry, one that was fanned to white heat by Senator Joseph R. McCarthy, who was then building himself into a national figure by riding hard on the Communist issue.

A federal grand jury sitting in New York called Remington's new accusers before it, and for five successive days questioned Remington himself. Remington did not take the way out that had been adopted so often before; he did not plead the Fifth Amendment, did not seek refuge in his constitutional privilege against possible self-incrimination. Instead, he testified to what he had always insisted—that he had never been a Communist.

The result was that on June 8, 1950, he was indicted for perjury. The indictment was based on Remington's appearance before the grand jury on May 25, and on this question-and-answer sequence:

> Q. At any time have you ever been a member of the Communist Party?
> A. I never have been.

The day the indictment was voted, Remington resigned his government post. The battle lines for the trial were quickly drawn. Taking over the chief burden of Remington's defense was a veteran New York lawyer, William C. Chanler, an independent Democrat who had served as city Corporation Counsel in the Fusion Administration of Fiorello H. LaGuardia. He was also a corporation lawyer with a practice at 40 Wall Street.

For the government, U.S. Attorney Irving S. Saypol headed a prosecution battery that included two names prominent in the anti-Communist campaign. One was Saypol's brilliant young assistant, Roy M. Cohn, whose specialty was collecting evidence with electronic and recording gadgets. He was to come to national prominence later as Senator McCarthy's legal aide. The other was Thomas J. Donegan, a Special Assistant to the Attorney General on the Communist issue and the man who had presented the evidence against Remington to the grand jury.

The trial was scheduled before Federal Judge Gregory F. Noonan. It had been billed as "a second Hiss case," and it was held in the same huge courtroom in the U.S. courthouse on Foley Square, New York, where twelve national leaders of the Communist Party had been convicted under the Smith Act. The trial got under way just before Christmas, and the courtroom was packed with spectators.

THE jury of seven women and five men was selected quickly on December 20. Then Chanler made the first of many motions that were to lead to heated conflict with the prosecution and the court. He urged that the indictment be dismissed, contending that it did not spell out the crime of which Remington stood accused. He argued that a trial would be impossible unless the government defined, as it had refused to do, what constituted Communist Party membership. In a brisk exchange with Judge Noonan, Chanler charged that the government was accusing his client of lying in denying the existence of a certain status—and at the same time was either unable or un-

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willing to define "what constitutes that status."

Judge Noonan set the tone for much that was to follow when he snapped back: "Your argument is ingenious but without merit." He added that it was "not incumbent on the government in a perjury trial to define terms relating to communism." Let the defendant do it: the defendant could say whether he was a Communist or not "and what that means," Judge Noonan ruled, adding that "the double-talk that goes on in communism defies definition."

The case was then adjourned until the day after Christmas. When court reconvened, the prosecution fired its strongest secret weapon—Ann Moos Remington. She, not Elizabeth Bentley, became the leadoff witness against the man she had married without love. Instantly, with her testimony, the trial plunged into its most critical phase, and what had been considered established fact was fact no longer.

THE FORMER Mrs. Remington was the key to the prosecution's case, for without her testimony, the Bentley evidence was virtually worthless. Miss Bentley, to be believed under law, had to have the corroboration of another witness. Prior to this, there had been no such corroboration. Indeed, it had been generally assumed that no such corroboration was possible, because the physical circumstances of Miss Bentley's and Remington's meetings precluded its existence.

Miss Bentley's testimony before the Senate committee, and Remington's own testimony there, had seemed to jibe perfectly in physical details; so much so that most of the Senators had seemed convinced of his guilt. The accepted and uncontroverted story all this time had been that Remington and Miss Bentley met alone. Now, suddenly, a third person announced that she had been present at these meetings. Long before, Remington had remarked to his *New Yorker* interviewer: "I didn't know whether my case could absorb a second Bentley. She never did have a corroborating witness, of course. . . ." Now, abruptly, Remington had to stand the shock both of "a second Bentley" and a corroborating witness—his former wife.

Almost from her opening words, the ex-Mrs. Remington made the man on trial an integral part of the Communist spy-ring. She declared he had been such an ardent Communist that he complained of feeling "out of touch" with the party after they moved to Washington in 1941. So, she said, Joseph North arranged the restaurant meeting in New York with Golos and "Helen Johnson" for the specific purpose of putting them "in touch." Arrangements were made at that meeting, Mrs. Remington declared, for Miss Bentley to visit them in Washington every two weeks to collect party dues and bring them party literature.

Instead of the phone call from "Helen Johnson" and the casual luncheon for two, Mrs. Remington claimed the meeting took place in the Remington family car, with herself an interested spectator. Remington, she swore, gave Miss Bentley "some pieces of paper."

It was at the second meeting, she testified, that her former husband gave Miss Bentley the "top secret" formula for making "explosives" out of garbage. Mrs. Remington said her husband had been "very excited" about this and wanted the formula "sent to Russia as soon as possible." (For the record, Miss Bentley herself was to testify on a later occasion that Remington never knew the information he gave her was being sent to Russia; all she told him, she said, was that she was gathering information for Earl Browder, then Communist Party head in the United States.)

This information inspired such gratitude in the Communist Party, according to Mrs. Remington, that it even recognized the existence of Christmas in 1942, passing along presents for herself and Remington with the greeting, "Merry Christmas from the Party."

There was an almost fey quality at times to some of Mrs. Remington's testimony. Occasionally, when asked a question, she would stare off into space. At other times, she seemed weary, almost listless. Regardless of this, her testimony was damning. Under Saypol's guidance, she insisted Remington had told her shortly after they met in 1938 that he was a Communist. And she added: "He swore me to secrecy about that."

"Did he tell you he was a member of the Communist Party in Knoxville, Tennessee?" Saypol asked. "He didn't tell me anything else I didn't already know," the witness replied. "I knew he was a radical."

These were the major points of her testimony and she stood by them, relatively unshaken in cross-examination. In her days on the witness stand, she developed several other points, all of which Chanler knocked down with considerable success. For example:

Mrs. Remington introduced a copy of a letter sent by her husband along with a $100 contribution to Joseph North for the *New Masses*. The defense showed that the contribution had been made in 1940, when the *New Masses* was threatened with loss of its mailing privileges, a form of censorship; other public figures, unquestionably not Communists, had made similar contributions. And it stressed that Remington had specifically written that the money was being donated because the magazine was "hard-pressed to defend its civil liberties" and that he had also made the specific qualification that "we do not always agree with your editorial policies."

Mrs. Remington testified she had joined the Communist Party with the full knowledge of her husband and had attended party meetings at Columbia. But she couldn't name anyone else who had attended those meetings.

WHEN SHE was questioned about the one payment which Remington acknowledged he had made to Miss Bentley with the understanding that the money was to be used to help refugees, Mrs. Remington told a conflicting story. Miss Bentley, she said, had collected dues for both of them from her regularly. But Chanler got her to admit that the dues had never been requested by the party; that neither she nor Remington had a dues book or a party card; that she knew nothing about the

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formula for computation of party dues; that Remington, during the entire time she knew him, never attended regular party meetings.

Mrs. Remington also testified that she and her husband once attended a Marxist class in economics in New York, leaving with the jury a definite implication. But Chanler got her to admit that Remington rose in class and tried to challenge the doctrine of the speaker, that he was refused the platform, and that they both walked out of the session, a pair of unpopular dissidents.

When Chanler tried to pin her down to specifics, she would mumble, "I don't remember."

In the midst of her cross-examination, defense counsel became embroiled with the prosecution and the court in two explosive and vitally important arguments.

First, Chanler demanded permission to inspect the grand jury minutes, especially those dealing with the five-hour grilling of the former Mrs. Remington on the day she had agreed to testify against her husband. Judge Noonan turned him down. It was a ruling that makes Chanler seethe to this day.

"I had a right to those minutes, and I still say he had absolutely no right to refuse me—but he did," Chanler fumes. "If I had had access to them at the time, if I had had them when it was vital to the defense to have them, when I should have had them, the whole outcome would have been different. I would have blown this case right out of court."

A TRACE of this righteous ire on the attorney's part shows on the record. After being denied the right to inspect the minutes, Chanler moved that the grand jury transcript be impounded. The imputation was unmistakable, and Saypol, his face flushing with anger, leaped to his feet.

"I never heard of anything so preposterous," he stormed. "Perhaps counsel would like to take the grand jury and impound that, too."

Rauh, Chanler's associate in the trial, indicated that this might not be a bad idea. For he rose and made the sensational charge that the government was using the grand jury "for the sole purpose of intimidating" potential defense witnesses. He declared that fifteen witnesses needed by the defense had been grilled before the grand jury subsequent to Remington's indictment, and he charged that, on that very morning, two of his witnesses had been subpoenaed to appear before the grand jury. One, a woman, was so badly frightened, he said, that she planned to plead her constitutional privilege not only before the jury "but as a witness for us."

Saypol countered angrily. The intimidation charge he said, "was baseless and made up of whole cloth." Judge Noonan upheld the prosecution, refused to curb the questioning of defense witnesses before the grand jury and refused to vacate the subpoena that had been served upon the woman whom Rauh said was so terrified.

The recriminations had hardly quieted down when Mrs. Remington, on her re-direct examination, touched off a new furor. She declared that Remington, when he heard she had been summoned to testify before the grand jury, was so concerned that he tried to keep her off the stand by suggesting to her she have herself declared mentally incompetent. The former wife conceded she had been seeing a psychiatrist twice a week since 1945, but she said she had undertaken the treatments only in the hope of salvaging her marriage. Remington, she added, was seeing a psychiatrist himself at the same time and for the same purpose.

WITH THIS parting blast, Remington's ex-wife left the stand, and the feeling in the courtroom was that she had virtually sealed his doom. Miss Bentley appeared as a witness on January 8 and, as *The New York Times* noted, she "in the main corroborated the testimony of Remington's divorced wife." One is compelled to marvel at this feat of legal legerdemain. Here was Remington's chief—and, indeed, for years his only—accuser appearing in a lesser corroborating role for the ex-wife who, in actuality, was her own corroborator!

Miss Bentley testified now that the former Mrs. Remington had, indeed, been present at "three or four" of the meetings between herself and Remington. She declared she had collected dues regularly from the Remingtons. She told of receiving "the secret formula" from Remington and some secret aircraft production data.

A court battle developed over the aircraft testimony. Remington always insisted that the figures he passed to Miss Bentley were only those that had been properly released by the government. The prosecution, to counter this, brought into court a large blowup of a special airplane design and production figures. It had been on file with the War Production Board when Remington served with the agency. The introduction of this exhibit is another thing that still rankles with Chanler.

"They brought this document into court—it had been classified top secret, no question about that—and they put it up on an easel in front of the jury blown up almost as big as the side of a house," the attorney says. "Then they asked Miss Bentley whether some of the figures Remington gave her came from this document. How could she know, for Heaven's sake? She had testified she never saw any original documents, but she says, yes, some of the details Remington gave her came from that very piece of paper. I asked Remington about it, and he was astounded. 'I never saw it in my life,' he told me, and they never introduced one iota of evidence to show that he ever had—that he had ever had access to it, even. This was another thing that, from my viewpoint, should never have been allowed in the trial, but Judge Noonan admitted it, and the exhibit stayed up there on the easel in front of the jury for days, staring the jurors in the face the instant they came into court."

Chanler's cross-examination of Miss Bentley was protracted and vigorous. He got her to admit that the story she had told on the witness stand did not precisely agree with the story she had told before Senate and House committees. She admitted Remington had never complied

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with many phases of Communist Party ritual. Hammering at this, Chanler drew from her the concession that she had told a House committee only the previous May that a party member was required to file certain information every six months. "I put it badly," Miss Bentley said, referring to this previous testimony. She conceded that her story about the Remington dues collections embraced much more than she had indicated in her testimony before Senate investigators. But she explained: "It was the first time I ever testified in public, and I can assure you it was nerve-wracking."

"More nerve-wracking than stealing government secrets?" Chanler snapped, bringing a roar of objection from Saypol.

PRESSED still harder, Miss Bentley said she had not testified to *all* that she knew about Remington when she appeared before the Senate committee in 1948, because she thought then that he had renounced communism. Asked by Chanler whether she thought now that he had not, she replied calmly: "I don't know one way or the other."

The cross-examination rose to its climax when Chanler exploded a new issue—the charge that two men who in their official capacities had played key roles in the indictment of Remington, had had private business dealings with the prosecution's witness, Miss Bentley.

The lesser charge involved Thomas Donegan, the special assistant who had been so active in presenting the testimony against Remington to the grand jury. Miss Bentley acknowledged that Donegan had been her lawyer. Donegan himself rose from the prosecution table and explained that he had represented Miss Bentley in 1946-47, when he was in private law practice, but that, when he returned to government service, he had notified her that she would have to get another lawyer.

The second and far more serious charge involved Miss Bentley's dealings with John Gilland Brunini, poet and former newspaperman, who had been the foreman of the indicting grand jury. Miss Bentley conceded Brunini did "editorial work" and gave her "moral encouragement" in the preparation of a book that she was writing on communism in which she repeated her charges against Remington — charges that could hardly be safely published unless he was indicted and convicted.

CHANLER showed Miss Bentley a contract with the Devin Adair Company, her prospective book publishers. The contract was dated June 2, just six days before the indictment of Remington. Chanler demanded to know when it had been signed, and Miss Bentley replied that she had signed it "a few days or no more than a week after June 2."

The defense attorney then demanded whether there had been another contract prior to the one dated June 2. Miss Bentley denied that there had been such a contract. For two hours, Chanler harangued her on this point, but Miss Bentley kept insisting that there had been only one contract and that Brunini had given her little more than his "moral encouragement."

Judge Noonan finally called a halt and sent the jury out of earshot. What, he demanded, was the purpose of all this?

"I want to show that Miss Bentley had an interest in the prosecution of this defendant," Chanler declared.

"There is an old saying," commented the judge tartly, "that if you have no defense, try the prosecution, and if that doesn't work, try the witness."

Chanler showed that this judicial remark might have been just a bit premature.

Opening for the defense on January 12, he startled the courtroom by putting on the stand two witnesses who testified there *had* been a contract dealing with Miss Bentley's book prior to the document of June 2; that this contract had guaranteed Brunini part of the profits of the book; and that this contract had been destroyed.

The first witness, Miss Leyla Sefa, a former employee of the Devin Adair publishing house, testified that she had typed both contracts and that the first contract mentioned Brunini by name and guaranteed him a percentage on the sales of the book. Miss Sefa said that she didn't know whether this contract had ever been actually signed; she had been told merely that it had been "burned." She added that, in a conversation a week or so before the second contract was prepared, the head of the publishing house had remarked in her hearing that Brunini would receive "a recompense for his work in helping Miss Bentley with the book."

A SECOND Witness, Mrs. Eileen H. Collins, who had been publicity director for the publishing house in 1950, also testified that she knew there had been two book contracts. She said she had even asked Miss Bentley why the first contract "had to be destroyed," and that Miss Bentley had replied: "There was really no reason why we did it. We just thought it would be best all around."

Mrs. Collins said this knowledge had weighed upon her conscience. She added that she had mentioned it to a young family friend who was studying law, and that this man had telephoned Judge Noonan's chambers and given the judge's clerk the information. When the telephone caller refused to give his name, the judge's clerk said he was "not interested," the witness testified.

Obviously startled, Judge Noonan interjected: "This is the first time I ever heard of it."

This particular court scene ended with Mrs. Collins, who was pregnant at the time, breaking into tears under Saypol's cross-examination and with Chanler trying to interrupt with an explanation. Judge Noonan admonished him not to "tip" the witness, and Chanler angrily moved for

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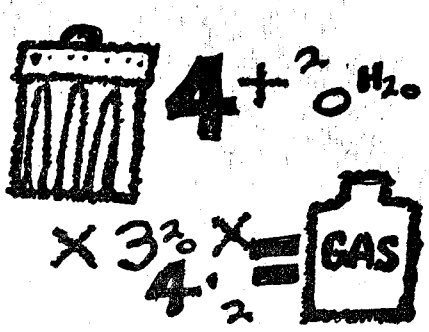
a mistrial on the grounds of the court's hostility—another motion that was promptly denied by Judge Noonan.

Another major battle developed over the secret so-called garbage-rubber formula. Charles J. Hitch, Remington's superior in the WPB in 1942, testified that the formula had been a favorite lunch-table topic and was regarded generally as a "crackpot" scheme. Roy Cohn, "the ever-active genie" of the case, as Chanler calls him, produced an expert who declared that, in tests, the formula actually had turned out some gasoline from garbage and had been considered for a time of great importance. However, in final analysis, the formula never had amounted to anything.

STILL a third major fight developed around Remington's affiliations at Dartmouth. His former wife and some other government witnesses placed him at meetings of the Young Communist League. The defense countered by testimony that Remington had been in the forefront of two anti-Communist movements. Witnesses testified that he had been a leader, in 1939, in forming a liberal club to oppose extreme left-wingers and that he had helped lead the



fight that severed the Dartmouth chapter of the American Students Union from the national organization, on the grounds that the national group was much too pro-Communist.

Remington himself took the stand, denying the truth of his ex-wife's testimony and Miss Bentley's testimony on vital particulars. On cross-examination, Saypol was able to show only minor discrepancies in the various accounts he had given under oath, and most of these dealt with the exact time certain events had taken place years previously. Then Saypol slipped in a question whose significance was lost on the defense at the time, as well as on most courtroom reporters. But it was to prove more important than any other detail in this fifty-day courtroom battle.

WHEN FIRST questioned in 1947, Remington had given a six-page statement to the FBI. One of the more inconsequential items in it had been a disclaimer that he knew anything about the Young Communist League operating on the Dartmouth campus while he was there. He had heard of the league afterwards, but not at that time, he said. Now, in cross-examination, Saypol picked up Remington's old FBI statement.

"Now do you deny that you had any knowledge of the Young Communist League at Dartmouth?" he demanded.

"Yes," said Remington. "With emphasis on the knowledge."

Chanler shakes his head ruefully at the memory. "It slipped by me," he acknowledges. "I didn't attach any importance to it at the time."

Saypol dropped the point and went on with his days-long cross-examination that was like a rolling barrage. He ended up with a savage attack on the details of Remington's love life.

> Q. In the spring of 1945, didn't you carry on an illicit affair with a woman named Jane, with another woman who was the wife of a neighbor, and with still another woman of your acquaintance?
>
> A. No.
>
> Q. You were divorced in 1949, weren't you?
>
> A. Yes.
>
> Q. Well, I have here the record of that divorce. It shows you committed adultery with a woman. Now, will you say whether it is true or not that you committed adultery with a woman named Jane?
>
> A. Yes.
>
> Q. You now admit that you committed adultery?
>
> A. Yes, I do. But I could not answer your question before. The date was not 1945 but 1947. And you named three women. There was only one involved. It was after my wife and I were estranged.

Relentless, Saypol pounded on. "In 1949," he accused, "didn't you strike your wife?"

"Yes, I struck her in a disagreement over our son," Remington said. "I knocked her down."

He denied knowing that his estranged wife had been cared for by neighbors for several days afterwards.

The trial closed with one final, bitter flareup between the defense and Judge Noonan. Rauh, in making a series of motions, called upon the government to "concede" that reports "of undercover agents and informers of the FBI inside the Communist Party" contained no mention that Remington ever had been a member.

Saypol objected angrily, and Judge Noonan declared that "these things are entirely inappropriate at this time."

"I think if Your Honor is going to make a statement, we should be heard," Rauh declared. "There is a basic principle that when the prosecution has evidence which will help the defendant, it is up to the prosecution to produce it, and that principle has not been properly preserved in this case."

"Are you accusing me, Mr. Rauh?" the judge demanded.

"I am not accusing anybody. I am stating—"

"From this point on, Mr. Rauh, any motions will be made by counsel in chief. You may sit down."

Red-faced, Rauh started to protest, "Your Honor, I wish to say—"

"We will take a recess," the judge snapped, rising and turning his back upon the lawyer whose lips he had sealed.

The jury was out 4 hours and 25 minutes. It returned at 10:12 p.m., February 7, 1951.

Its verdict: guilty.

The next morning, Judge Noonan denied all pleas for leniency or bail pending appeal. He fined Remington $2,000 and sentenced him to the maximum term of five years. And he remanded Remington to jail at once to begin serving his sentence.

A protest to the Federal Court of Appeals secured Remington's release on bail twenty-four hours later. He remained free until August 23, 1951, when the three-man appeals court,

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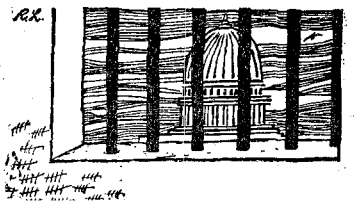
in a unanimous twelve-page opinion, threw out Remington's conviction. The court ruled that Judge Noonan had been much "too vague and indefinite" in spelling out to the jury what constituted proof of Communist Party membership. The way the trial was conducted, the court held, Remington "did not even know at the end of the government's case what he had to meet" properly to defend himself.

The Court of Appeals was critical of Judge Noonan for a passage in his charge that, it said, could have led the jury to infer it had the right to convict on circumstantial evidence alone. It was critical of him for permitting Saypol to refer constantly to the Attorney General's list of subversive organizations—an act which, it said, "could have no conceivable tendency to prove the defendant's alleged perjury even if it were shown that he belonged to some or all of the organizations listed."



Part IV

SECOND TRIAL — AND AFTERMATH

THE RULING of the Court of Appeals upset the adverse jury verdict, but did not free Remington. The court refused to quash the indictment against him. And so a new trial became imperative.

The government, however, chose not to do battle on the same ground. In a move that seems tantamount to a confession of past irregularity, it indicted Remington for a second time on October 25, 1951. It charged that he had committed perjury at his first trial, and blandly moved to dismiss and get rid of the first indictment which, it said, had elicited this new act of perjury. The government's reasoning was that, even if that first indictment was not all it should have been, this did not justify Remington in not being all he should have been.

The new indictment accused Remington of committing perjury on five counts: (1) denying that he gave secret information to Elizabeth Bentley; (2) denying that he knowingly attended Communist Party meetings in Knoxville; (3) denying that he paid Communist Party dues; (4) denying that he had ever asked anyone to join the Communist Party; (5) denying that he had knowledge of the existence of the Young Communist League at Dartmouth while he was there—a charge based on that little-regarded question by Saypol in cross-examination.

This second indictment brought a cry of protest from the American Civil Liberties Union, one of the few voices raised in the night. The ACLU said it was "gravely disturbed" by the new indictment and added: "It may not be a matter of double jeopardy technically, but it is morally." And *The Nation* of November 3, 1951, said editorially: "William Remington's new indictment on five counts of perjury is a mean, vengeful and subversive act. . . . It was also an act calculated to undermine basic concepts of Anglo-American criminal justice." But nothing could now stop the juggernaut of prosecution.

Remington was brought to trial a second time in mid-January, 1953. He had a new chief counsel, John McKim Minton, one of New York's leading criminal lawyers. There was a new U.S. Attorney, Myles J. Lane; a new judge, Vincent L. Leibell; and a new courtroom, small, tucked-away, almost unpopulated.

In contrast to the first trial, the second was swift, almost perfunctory. Many witnesses were eliminated on both sides. Basically, the issue involved was whether the jury chose to believe Remington — or his ex-wife and Elizabeth Bentley. Most spectators had little doubt of the outcome, yet the jury was out thirteen hours. It brought in its verdict at 3:30 a.m., January 27, 1953, convicting Remington on two counts — lying when he denied passing secret documents to Miss Bentley and lying *about* the Young Communist League.

The jury disagreed, however, on the two counts that would have established, officially, that Remington had ever been a Communist — the original issue. The jury reported it could not decide whether he had ever attended Communist meetings in Knoxville or paid Communist Party dues. And it acquitted him of the fifth charge, ruling that he never had induced anyone to join the Communist Party.

The conviction came just as Remington's second wife, Jane, whom he had married between his first and second trials, was awaiting the arrival of a baby. Sentencing was postponed until after the birth. Then Remington, tall, pale and a little gaunt, stood impassively in court and heard himself condemned to spend three years in prison. Before he began serving his sentence on April 15, 1953, he made one final statement:

> I have tried to tell the truth during six long years of questioning. I repeat that I was never a member of the Communist Party; I never gave secret information to anyone; and I never knowingly made a false statement.

Those who heard him—most of them—shrugged and refused to believe.

His attorneys began a desperate battle to free him on appeal, but this time the appeals court reversed its previous stand. On November 24, 1953, by a 2-1 decision, it upheld the second conviction. Judge Augustus N. Hand, who wrote the prevailing opinion, rejected the defense plea that Remington had been entrapped by devious government maneuvers and held:

> Remington has been entrapped, not by devious means and methods employed by the government, but

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by his own acts. He is caught in a web of his own duplicity and zealous prosecution by the government.

The dissent was written by Judge Learned Hand (who is a cousin of August Hand). This document was almost Brandeis-like in tone and was startling not just because it disagreed with the majority, but because of the lengths to which it went. For Judge Hand, who had participated in the reversal of the first conviction, now went much further. He argued that the entire case against Remington was invalid. The judge declared that Remington had, indeed, been entrapped by the government, and he added that this second prosecution of Remington seemed "within the implied gambit of the doctrine of 'entrapment' as well as it is within that of the doctrine against using evidence unlawfully obtained." He said that the most vulnerable feature of the grand jury proceedings that had brought the first and basic indictment of Remington was the treatment of Ann Moos Remington. He pointed out that she had been grilled continuously by the grand jury for four hours before she agreed to testify against her husband.

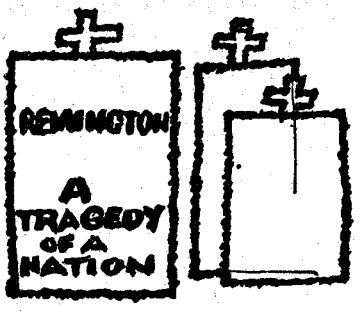
This dissent, which seemed to hint at new information, stirred no curiosity in the New York press. It was buried under headlines that proclaimed Remington again had been adjudged guilty and condemned to remain in prison.

THE U.S. Supreme Court, on February 9, 1954, refused even to consider Remington's appeal. A little less than a month later, John McKim Minton, Remington's counsel in the second trial—moved by the plight of Remington's second wife and the infant son who had never had a chance to know his father—asked Judge Leibell to listen to the wife's plea for a reduction of sentence. The judge consented to this unusual move.

"I believe now, as I did when I married him, that Bill is innocent and never did anything to harm his country," Mrs. Remington told the judge, with deep fervor.

These, of course, were the prejudiced words of a loving wife, and justice, which had not hesitated to give full credence to the words of a divorced wife, could not be expected to heed them. Judge Leibell ruled, as under the circumstances it was expected he would rule, that Remington must stay in the federal prison at Lewisburg, Pennsylvania, for his full term. The federal parole board upheld his decision.

The final act in the life of William Remington had the brutal, bloody inevitability of a Greek tragedy. On the morning of November 22, 1954, Remington was found lying face down on the landing near his third-floor prison dormitory. His skull was shattered and his head and face were covered with blood. He was rushed to a hospital and a two-hour emergency operation was performed. His skull had been fractured in several places, his brain so badly damaged that he could not



talk. On the operating table, just before he was given the anesthetic, he struggled for words. Whether he was trying to name his killers, or make a final protestation of innocence, or say a last word about his wife and son, no one will ever know.

This was virtually Remington's last struggle. On the morning of November 24, he died. He was only thirty-seven.

In New York, the grief-stricken Mrs. Remington told of her last meeting with her husband, only two weeks before. They had talked for several hours, she said, making plans for their life together after his scheduled release the following August. "Bill was so fond and proud of our little son," she sobbed, "and he pledged that he would somehow clear his name for the boy's sake."

In Lewisburg, the FBI rounded up Remington's prison killers. They were identified as three vicious thugs who probably didn't even know who Remington was. In the reconstruction of the murder, evidence was uncovered that gangsterism had been running rampant in the prison. Remington had informed one of his attorneys that his dormitory section had been raided four times while he was there, and in his last letter to his wife, he had mentioned another looting.

On the morning of the murder, according to the FBI, the three thugs were rifling Remington's cell, and when he surprised them, they beat him over the head with a brick wrapped in a stocking. All pleaded guilty to second-degree murder. Two were sentenced to life terms and the third man was given an additional twenty years.

Retribution was all that was left to the law at this point, of course, but that could not help Remington or those he left behind. At last reports, his first wife and her two children were living in Alexandria, Virginia, and she was working as a clerk in a law office. His second wife, striving for anonymity, is working under another name, trying to rear and protect her young son. And Remington's aged father has died, still protesting his son's innocence.

ALL THAT remains is the big question: Was William W. Remington ever actually a Communist? Was he a sinner, or was he sinned against?

Only a rare man can hide his true inner self from such astute lawyers as John McKim Minton and William C. Chanler. Recently the question was put to Minton: "Now that it is all over and Remington is dead, do you have any firm convictions about his guilt or innocence?"

Minton replied instantly and firmly: "That man was *never* a Communist. I know that. He was, intellectually, too arrogant and independent. He would never have submitted to iron-bound Communist Party discipline. He believed at one time in government ownership of key industries—certainly in some government controls over industry—but these are things that a lot of liberals and New Dealers have believed in before and since. That doesn't make him a Communist. The whole thing was a tragedy. There was a man who should never have gone to jail. And

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the end! What a tragic faste of fine talent!"

Chanler, Remington's first trial counsel, was even more explicit when he was queried: "Yes, I certainly do have firm convictions," he said. "Remington was never a Communist, and I'll tell you how I know. When I was preparing the first case, I went to Washington, and while I was there, I saw his first wife's lawyers—the two who had represented her at various times in the divorce.

"They didn't like Remington, because he had given them a hard time. They said that after the marriage broke up, there was a great deal of bitterness, and Remington hadn't wanted to give his wife a penny; they felt he had been a penny-pincher and had behaved very badly. Nevertheless, they both assured me that it was perfectly clear to them that he had never been a Communist.

"I asked them how they knew, and they told me that when Ann Remington was called to testify before the grand jury, she had consulted them. They asked her, of course, to tell them her story, and she did. It was a perfectly innocent story, and they told her to go ahead and testify to it. When she came back to Washington, she refused to tell them what had happened before the grand jury.

"Knowing this, I was certain that something must have happened in that jury room to make her give the story she did on the witness stand. That was why I fought so desperately for access to the grand jury minutes of her questioning.

"Judge Noonan refused us, but on appeal, the appeals court expressly ruled that we had a right to see those minutes. Judge Leibell ordered the government to produce them for the second trial, but by that time it was too late to do us much good, because the basis of the case had changed.

"The minutes showed, however, that for three hours, Ann Remington's story was the same, generally, as her ex-husband's. In essence, it was this: She and Bill, at one time, had been very close to the party and had friends who were Communists, but they had never been members themselves. She supported Remington's contention that he and Joe North had disagreed on many points of philosophy. Bill, she said, hadn't been nearly as left-wing as she had wanted him to be, and gradually they had drifted further and further away from any contact with the party. Elizabeth Bentley, she said, had never figured much in their lives.

"This was the gist of her testimony before the grand jury. Then Brunini, the foreman—the man who helped Miss Bentley with her book—really took over. He accused Ann of lying and trying to protect her husband.

"She protested that it was late, and that she would like to go out and have some lunch and consult her attorney. Brunini told her she could get something to eat when she told the truth; that everyone knew that her husband had been a Communist. Hinting at the perils that could befall witnesses who lied to the grand jury, he said, 'We have teeth, but we don't like to use them.'

"At about this point, Ann exclaimed, 'What is this, the third degree?'

"Brunini replied, 'We don't like that kind of talk. Of course this is not the third degree. All we want is for you to tell the truth.'

"He asked her why she should lie to protect her husband, when he had thrown her over for another woman. Time and again, this other woman was thrown in her face, obviously for the purpose of steaming her up.

"Finally, after a whole hour of this, she came around and gave out the version she told from the witness stand.

"We weren't allowed to keep those grand jury minutes, but I made an affidavit to what was in them, and this went up to the appeals court with the motion papers on the second appeal. It was this that formed the basis for Judge Learned Hand's strong dissent."

JUST ONE more source remains to be heard from. On January 5, 1955, Attorney General Louis G. Wyman, of New Hampshire, filed with the New Hampshire legislature a 289-page report detailing the results of an eighteen-month investigation of Communist activities at Dartmouth. In this report, he cited testimony that indicated Remington, in his college days, never had been a Communist. One witness testified, the report states, that the Communists in the Dartmouth undergraduate circle wanted no part of Remington "because he was considered too erratic."

THIS belated testimony from New Hampshire was news to the public, but not to Chanler. It was, he says, the very evidence he had hoped to introduce at the first trial to establish Remington's innocence—and had been kept from introducing by the government's action in haling his witnesses before a grand jury.

"This is the background of the bitter dispute we had with Judge Noonan in court over the intimidation of our witnesses," Chanler says. "We had gone up to New Hampshire, and we had located two witnesses, both Communists, who knew the makeup and membership of the Communist Party and the Young Communist League in the state. One, a woman, was a party official with access to all the membership records. She had checked them and told us that Remington's name definitely did not appear anywhere.

"We told them we would call them when we needed them. Then, I suppose, I made a mistake. I telephoned them from my office, using my regular phone, and told them to come to New York. The next morning when they arrived, two FBI agents were waiting on the station platform with subpoenas for them to appear before the grand jury. They were so frightened that they notified us they would claim their constitutional privilege and refuse to testify. And so we had to let them go back to New Hampshire, unheard."

There is one final epitaph to the Remington story. In the hours immediately after Remington's death, his grief-stricken widow made a simple and eloquent statement that America, in its confused striving to meet the dangers of the Communist menace, might still heed.

"A person can be accused wrongly of being a Communist, and it is a dreadful thing," the second Mrs. Remington said. "This is not a tragedy of mine alone, but a tragedy for the entire country."

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BOOKS and the ARTS

The True Face of Poe

POE: A CRITICAL STUDY. By Edward H. Davidson. Harvard University Press. 296 pp. $4.75.

William Bittner

IT HAS BEEN the fate of Edgar Allan Poe to be known for his failures and failings, and all the scholarship of the century has not altered this sad condition. Arthur Hobson Quinn's biography proved much of the Poe legend to be clear fabrication and the rest to be distortion promulgated by Rufus Griswold, Poe's literary executor and first biographer, but the popular image is still of a gloomy man producing jingles and gory tales while saturated with alcohol and opium. Say "Poe" and people think of "The Raven."

Hardly any of our writers have been so diligently studied, yet no body of fact has been so little applied as our knowledge of the real Poe. The few critics who comment on him do so with slight regard for the diversity in his work or the split between his rational and his intuitive powers; thus they produce only confusion. But now Edward Davidson has written a critical study of Poe which attempts to treat him as a writer rather than an object of emotion. Although it is not the last word, it very easily might be considered the first sensible one.

Edgar Poe was a man of great rational powers who, impressed by his superior intelligence, and lacking sufficient confidence in his creative imagination, stifled what must have been one of the great poetic talents of all time. He was well-educated, but not as learned as he pretended to be; thus his originality was often crushed under diligent rule-following. Nevertheless, sometimes by accident, often under the pressure of needing money, he pioneered in and defined the short story, was America's first great literary journalist, created the detective story, anticipated by sheer imaginative projection the modern attitude toward science, and turned out, by the way, a respectable number of masterpieces.

Very wisely, Davidson has chosen to treat Poe's poetry first, his fiction as a second stage of the same impulse, and to conclude with the strange philosophical prose poem, *Eureka.* Poe's initial poetic impulse and the mass of his verse emerged in his early youth. By the time he was twenty-two he had begun to shift his interest from verse as such to poetic theory. Thus "To Helen," dating from 1831 (although not in its best version until a dozen years later), is remarkable for its concentrated images, while "The Raven" and "Ulalume," although much more profound in conception, are simply prose tales set to rhyme. With these he met (or tried to meet) a market. Poe said—sincerely I believe—that he "wrote it for the express purpose of running—just as I did the 'Gold-Bug,' you know. The bird beat the bug, though, all hollow."

Poe's early abandonment of poetry, brought on by both personal and artistic causes (and Poe's main personal problem was not drink, drugs, or despair—it was poverty), led to his greatest creative act: the formulation of the symbolic, psychological short story. It was, on the conscious level, an accident. Poe, squeezed into his aunt's tiny house in Baltimore, living with five others on his grandmother's $240-a-year pension, planned a book of literary criticism, and wrote parodies of the popular fiction of the day as illustrations.

Humorless (although often very witty), and an able poet, he infused these stories with a unified atmosphere through his poetic use of words and symbols; and, when these were hailed as superior examples of the very thing he made fun of, he suppressed the exaggeration in them, seeking the quick buck. The outcome was the modern short story.

The ambitions that cursed Poe's development and led him down many blind alleys were first, to be what he was brought up to be, a Southern gentleman; and second, to found a magazine where, free of the restraint imposed on him by more "practical" men, he could sponsor literary excellence. Realizing that he could not develop his own art while he was pandering to what businessmen thought people would buy, he worked out a method of freeing himself from those restrictions, and frittered away his career trying to achieve the means to accomplish it. Poe pursued many mirages, and occasionally ran amuck chasing them, but his clear intuition led him from the parochial, aristocratic, pessimistic viewpoint of the Southern "gentleman" to the brink of Whitmanism.

PROFESSOR DAVIDSON traces this development accurately and perceptively; yet his occasional pedantry with the jargon of Romanticism slightly mars what is the best book on Poe up to the present moment. Since Poe was influenced by the English Romantics, he is classified as a Romantic, even though Romanticism is simply something he started with. Byronism is a phase he passed through before his first poem was published. He apparently always despised Wordsworth. He admired Coleridge, but critically; so that Davidson's consideration of Poe's work through an exclusively Coleridgean use of the words "will" and "reality" is suspect from the beginning. By so limiting his scope, Davidson is able to say: "Poe never changed; he never grew; he remained to the end of his life an exponent of the hypostatized self-as-subject with which Romantic artists necessarily begin." They may begin there, but may take a new departure from the beginning, following a different but much more productive path than did the figures who were old (or dead) before Poe began his literary career.

Davidson strains his excellent ob-

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(A special message to readers of The Nation)

PREFERRED STOCKS of Ideas

It was no surprise to learn from our first survey of *Monthly Review* readers that many of them also take *The Nation*. If you read both magazines, you know how they complement each other in factual reports and in appraisals of domestic and international affairs.

Monthly Review, edited by Leo Huberman and Paul M. Sweezy, is now in its ninth year of steady growth. Few magazines have such warmly devoted readers. A New Mexico businessman writes us: "The best, most objective and constructive thinking I've seen in years." A labor unionist in Ireland comments: "Anything written by the editors can stand stern examination after a lapse of time."

Monthly Review also publishes books (several by *Nation* contributors). A year ago Monthly Review Press issued *The Great Road: The Life and Times of Chu Teh* by Agnes Smedley, a long book selling at $6.75. *The Nation* review by O. Edmund Chubb called the book "of first-rank importance for a fuller understanding of the process that brought the Chinese Communists to power."

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MONTHLY REVIEW
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servations to develop a thesis that Poe, like many Romantics, was seeking the nature of reality. It seems to me, and it seems to me that my feeling is supported by Davidson's own analysis, that Poe was concerned rather with man's perceptions than with what he perceived. Davidson points out that Poe's symbols "were not themselves necessarily horrible; they were what they were because a mind saw them and was even destroyed by them." Therein lies Poe's theme, and not only his, but the theme of those who followed him, from Melville to Mailer: the important thing is not the nature of reality, which we cannot perceive, but what men make of the fragment they see. We are all on the verge of madness; Poe explores with a sane mind what lies beyond that verge.

Davidson knows that, but misuses his understanding:

> In one way [psychological symbolism] was Poe's contribution to the dark subliminal literature of a later time: he demonstrated that states of consciousness are not simply isolated conditions of madness but are somehow intimately and intricately related to the physical world around it. Poe's fault . . . was that, once he had found a vivid externalization for a condition of inner consciousness —a crack in the wall, a black cat, a portrait, an insistent heartbeat—the physical exemplification assumed command; and in the succeeding narrative, whether in poem or in short story, the objectification was out of all proportion to the inner condition. One might say that the symbol ran away with the idea; Poe was content to let the convulsive dance of objectified forms enact the drama. Thus rhetoric and landscape conveyed the agony.

I would say that letting his symbols run away with him was Poe's virtue. When he tried to control them consciously, they fell flat and became an allegory of platitudes. Rhetoric obscured the agony that landscape was to convey.

When we view Poe's art as a unit, we can sense a great power at work; but each time we try to grasp his point of view, it eludes us through contradiction. This is because his career was a constant change and development—not the classic progress of the Romantic, but a shift all of his own from the Southern equivalent of Hawthorne's guilt-ridden pessimism to one step short of transcendentalism. We can, as Davidson does, find the theme of *Eureka* —that all of creation was diffused from unity to its present confusion, and will become unified again—recurring through most of Poe's writings. Rather than feeling that the stories which parallel this cycle in the individual hero simply reflect the idea in the mind of the writer, I believe that the stories emerged from Poe's own mental conflict and that the idea came from the stories, later to be supported by his nibbling inquiry into science and philosophy. A true artist, Poe found his philosophy in his art and later rationalized it. His awareness that the treatise *Eureka* was based on esthetic rather than scientific or philosophic thought is surely demonstrated by the sentence with which he concluded his preliminary note to the work: "Nevertheless, it is as a Poem only that I wish this work to be judged after I am dead."

I have no quibble at all with Davidson's treatment of the individual works of Poe. He brings every pertinent fact into play, and fits in the lesser known of Poe's works, *Arthur Gordon Pym* (his one novel) and *Eureka* with skill that approaches genius. Every great artist requires a great critic, and every original work an original critical method. Davidson has the power to appreciate Poe, and he is far on the way to creating the criticism propriate to Poe; but like hi ject, he is unwilling to break e with standardized procedure.

Proletarian Pastorales

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Aubade

The rising sun,
with drowsy glance,
pulls on his pants,
gets up, and goes to work.

Nocturne

The setting sun,
with parting glance,
pulls off his pants,
lies down, and goes to sleep.

M. Riddle

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BOOKS on THEATRE

Harold Clurman

MOST histories of the theatre suffer a text-book dryness and a sedulous lack of imagination. That is not the case with W. Bridges-Adams' *The Irresistible Theatre* (World Publishing Co. $6.), a "popular" history of the English stage from the earliest time through to the Elizabethans. It is lucidly written, witty, sensible, imbued with a genuine feeling for the theatre. The author was for years the head of the Shakespeare Theatre at Stratford-on-Avon.

Since the book is largely based on Edmund Chambers' classic studies, *The Medieval Stage* (2 volumes) and *The Elizabethan Stage* (4 volumes), much of the material in *The Irresistible Theatre* is familiar. One reads the book to refresh one's memory; and "refresh" is the right word since Bridges-Adams is almost breezy. But one reads it also to find one's own point of view reaffirmed by a man intimately acquainted with his subject.

For example, I note the following with satisfaction: "Henslowe's diary is one source from which we learn of several [playwrights] who might have ranked higher [than Shakespeare] if their plays had survived." This confirms my belief that a great dramatic genius rarely appears alone, but is usually part of a prolific cultural impetus in a particular society, and that Shakespeare's plays are unthinkable without the prior nourishment of a host of lesser ones. I have often tried to express this idea by asserting the deliberate paradox that we can expect no great American drama until we produce many more "bad" plays.

More significant still is Bridges-Adams' statement that "the comfortable fortune that he [Shakespeare] eventually enjoyed was rather the product of his share [as a member of the acting company] than of his earnings as a playwright. For this was an actor's theatre; one explanation of its extraordinary vitality is that it was the actor who inspired the dramatist until the dramatist in turn became the inspiration of the actor. It is clear that Shakespeare quickly made himself an adept at tailoring a part to fit the man who was to [illegible] it. A play . . . was a vehicle for [illegible]."

[illegible] fall a reader of *The Nation* [illegible]ly and intelligently took me to [illegible] suggesting that the Elizabethan [illegible]nd times) was much rougher [illegible]—for I ordinarily find our [illegible]e production far too sissy to be representative of Shakespeare's artistic character. I cannot quote all that Bridges-Adams says on this point; but here are some scattered lines: "Emphatically he [the Elizabethan] had hair on his chest. . . . As he made his way about the agglomeration of mansions, gardens, warehouses, and congested hovels that was his city he flaunted his masculine plumage as proudly as a peacock. . . . His appetite for life was Rabelaisian. Brain and brawn throve together. He could pass without any sense of incongruity from a consort of viols to an exchange of arms; from the bookstalls in St. Paul's churchyard to the harlot-infested aisle of the cathedral or to the bear pits across the river; from sublime mimic passion at the Swan or Globe to a real disembowelling at Tyburn. Or at London Bridge there might be a new

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head to see. . . ." For more of this I urge you to get the book and read a contemporary's account of a masque given at court in 1606 in honor of the King of Denmark—an expurgated account because our author says "it is too racy to be treated here."

TWO recent books deal with different aspects of the French theatre. *Louis Jouvet: Man of the Theatre*, by Bettina Liebowitz Knapp (Columbia University Press. $6.) is a thoroughgoing recital of that actor-producer-director's crowded career. The book is not particularly critical and even suggests by its omission of criticism that its subject was beyond it. That is far from the case, though there can be no doubt that Jouvet's theatre marks an epoch in French stage history—if for no other reason (and there are many others) than the encouragement and assistance he offered the somewhat precious novelist, Jean Giraudoux, whose plays became the outstanding dramatic work between the two wars. Mrs. Knapp's book demonstrates that, compared to Jouvet, all our successful producers, directors and actors are triflers and idlers.

Neal Oxenhardler's *Scandal and Parade* (Rutgers University Press. $5.) is an extended study of Jean Cocteau's writing for the stage. I have never been won over to this writing—perhaps because of some temperamental incompatibility, or to put it more bluntly, a blind spot. This does not prevent me from acknowledging Cocteau as a highly endowed and distinguished poet, critic, man about the arts—whose contribution to the French cultural scene is not easily dismissed.

Oxenhardler's book has two concrete values for me. In the first place, he is a genuine critic and his book has substantial literary and intellectual merit entirely apart from its subject—always a sure sign that a critic really is one. Second, Oxenhardler, who recognizes the defects of the artist he admires, has made me understand more fully why Cocteau's plays are in the main unassimilable by me and many others—and I regard this as a positive contribution.

SPACE does not permit be to undertake an adequate discussion of Nikolai Gorchakov's *The Theatre in Soviet Russia* (Columbia University Press. $10.). One is thrown off at first by a sense that this book might be called "Another Reason for Hating the Soviet Union" and by an often laughably crude translation. Nevertheless, it is a valuable work on several counts.

To begin with, it is a detailed study of how the marvelously abundant theatrical life of Russia, with roots in the work of the great innovators from 1890 to 1917, developed in the early years of the Soviet regime into the most exciting theatre in the Western world—only to be strangled by the barbarous (and incidentally un-Marxist) effort to shape artistic life by total control of all its manifestations along politically determined lines.

That is a fascinating story. What seems to me of more permanent value, however, is the sense Gorchakov gives, by his careful descriptions of a multitude of actual performances, that the theatre can have unimaginable variety and richness. We Americans still harbor only vague notions of the possibilities.

Temples in the Dark

When in the hour of last night-thoughts
I pause, given over to the widening wave,
The absolute swell of meditation, and,
Very still, observe the smoke streamers,
Building up from the banked back-log,
Curling and weaving with decorous thrusts,
Shaping and spiralling an aerial arabesque,
Offering up past the forest overstory,
Hovering above the silent pines,
Incense cedars, lonely delicate firs,
The last soaring owls and then
Trailing off into the womb of clouds;
There glow and fade half-felt promises,
Streaming cones and columns of fragrant smoke,
Relays from behind the undiscovered ranges,
Whites and grays swirling away from kindred fires,
Stations in a spiritual signal-world:
A mountain-misted message code that says,
"The morning comes, and also the night;
If you will enquire, enquire you."

JOHN MONTGOMERY

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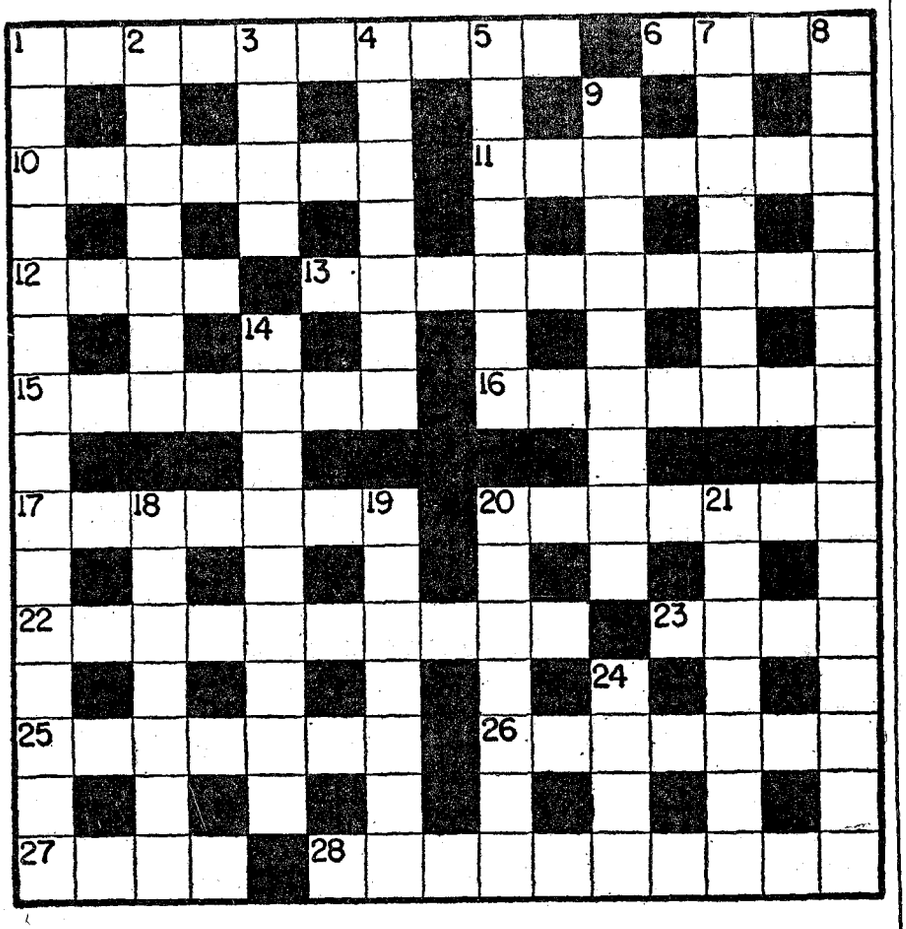
Crossword Puzzle No. 752

By FRANK W. LEWIS



ACROSS:

1 Pull forward before getting pulled back up. (10)
9 More than reputedly disturbed by the price of things! (4)
10 A horse-doctor should be extremely experienced. (7)
11 Might be given by the sound of a duck. (7)
12 A sort of 3 should be at hand. (4)
13 The rest might be comfortable here, but the flap is wool. (4, 6)
15 Longfellow's type of inn. (7)
16 One way of getting a Tatar's drink, which is not quite all right to you and the young lady. (7)
17 One's old ribbons can easily be refurbished. (7)
20 To shed tears about a broken instrument is something we wouldn't want to watch. (7)
22 Presumptuousness. (10)
23 What's the color of the crust. (4)
25 Hold back because of Smokey? (7)
26 Scalene form, free from impurities. (7)
27 The original deposit sounds heavy! (4)
28 Move up in time. (10)

DOWN:

1, 8, and 24 down The dispatcher of this is probably not headed for office. (6, 9, 4, 4, 3, 4, 4)
2 He's used to calculating the risks (7)
3 To deserve the bad end of 10? (4)
4 Fair gain, more or less. (7)
5 Hurried to first base, perhaps. (It's one way to spoil things!) (7)
7 Heart sick, in a way, like a musician. (7)
8 See 1 down
9 Persistent, at any rate. (9)
14 They might hold 11 in, or the enemy off. (9)
18 Advanced. (7)
19 Is Tracy only half human? (7)
20 The kind of boat Jim Hawkins had trouble with. (7)
21 Where Sparta was capital. (7)
24 See 1 down

SOLUTION TO PUZZLE NO. 751

ACROSS: 1 STAGE WHISPER; 10 AMOROUS; 11 MOBCAPS; 12 ICHTHYOID; 13, 8 and 3 INTERNATIONAL GEOPHYSICAL YEAR; 14 NODOSE; 16 USURPERS; 19 LOVE CALL; 20 CLEFTS; 22 NASAL; 23 CRUSTACEA; 25 SUBTEND; 26 SWORN IN; 27 RETROGRESSION. DOWN: 4 and 2 down WISDOM TOOTH; 5 IMMODEST; 6 PUBLIC RELATIONS; 7 ROAST BEEF; 9 YSER; 15 DIVISIBLE; 17 SUSTAINS; 18 BLACK DOG; 21 PURSUE; 22 NOSE; 24 CONGO.

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